

**MINUTES**  
**CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE**  
**Thursday, September 8, 2016, 9:30 a.m.**  
**Charlotte County Administration Center**  
**18500 Murdock Circle, Room 119, Port Charlotte, FL 33948**

**1. Call To Order and Pledge of Allegiance 9:30**

**2. Roll Call**

**3. Chairman's comments**

**A. REMINDER TO ALL VISITORS ADDRESSING THE COMMITTEE: PLEASE SIGN IN. It is helpful when preparing the Minutes. A clipboard and a pen are provided on the podium for your convenience.**

**B. REMINDER TO ALL MEMBERS STATE THEIR NAME AND ORGANIZATION and TO USE THE MICROPHONE WHEN ADDRESSING THE COMMITTEE. It is helpful when preparing the Minutes.**

**C. REMINDER TO ALL MEMBERS AND VISITORS TO PLEASE SILENCE THEIR CELL PHONES.**

Chairman Ireland also welcomed members back after the summer break. He asked for better attendance at the pre-agenda which takes place one week before the regular meeting.

**4. Changes to the Agenda**

None offered.

**5. Citizen Comments on Agenda Items**

Commissioner Deutsch had several comments, first thanking those who attended the WCIND meeting held in Charlotte County and also commented on the rotation of the WCIND meeting place. Commissioner Deutsch commented next on the recent bids for the Stump Pass improvements, which have come in much higher than budgeted, by about five-six million dollars; he indicated that there were some alternatives being considered. He also pointed out that there would be tax savings in the future, due to reduced need for dredging, once the project is completed. He expressed confidence that the County will find a way to do it, perhaps by tying into the beach renourishment project, and perhaps by waiting a year or two in order to combine these projects. He acknowledged the bad news is that it can't be done this fall, but should be able to do some work in early January; he indicated that these options would be presented and finalized before the Board soon. Responding to a question, the Commissioner and Engineering staff member Matt Logan clarified that the total which was originally around eight million is now closer to 13-14 million.

There were further comments from Commissioner Deutsch regarding the role the required equipment plays in the new bids: the relative rarity of the equipment affects what can be asked. He suggested that some savings could be expected from tying together the regional bidding processes, so that equipment-related costs (e.g., transporting it to our area) can be better managed.

Mr. Bigness asked a number of questions regarding the bid process; Commissioner Deutsch reminded the group that this isn't like e.g., framing where there's a large number of people doing it. Mr. Bigness wondered if the County should buy its own

dredging equipment; Commissioner Deutsch responded that the County considered that about ten years ago, and found that the equipment is very expensive and additionally it has to be stored and maintained. Mr. Harris the size required for that type of job is often not available. Commissioner Deutsch also noted to Mr. Bigness, you are busier now that the economy has improved, and so are the dredging companies – they are in demand and there's not a lot of them. On the other hand, he said, once the project is completed, we can maintain it with a smaller piece of equipment. Mr. Hamilton asked for clarification, if 'renourishment' means Manasota Key; Commissioner Deutsch responded affirmatively, also noting that the beach fared well on this last storm, with no damage.

For his next item, Commissioner Deutsch discussed the South Gulf Cove (SGC) MSBU Waterway Committee; he had been invited to attend by Chairman Ireland. There was a discussion on the interest in and realistic possibility of a second lock (which had also been discussed at the previous MAC meeting). The Commissioner offered his thoughts on the consultant's report from some years ago which identified challenges with getting such a project approved: seagrass, water quality, small-tooth sawfish, mangroves, etc., noting that he personally doesn't care much about the fish, and thinks the mangroves and seagrass can be relocated, but recognizes that the basic concern is water quality. Apparently, the creation of this proposed lock would save about an hour for a boat in this area; he felt that there would be a lot more house building/property sales in SGC if this was done, suggesting a marina would result eventually. Commissioner Deutsch said that he is sending the County Engineer to assess water quality in the lagoon, noting that when the County got rid of Manchester Lock, there were water quality issues. However, as he noted, SGC is sewered already. Having said this, however, he noted that the cost of getting approvals for the second lock would be equal or similar to the cost of actually putting the lock in; in other words, it would be a financial challenge. He then went on to suggest removal of the lock as an alternative; again, this would raise a water quality issue, which would in turn create greater enthusiasm for a second 'cut' in order to create better natural flushing. Chairman Ireland noted that the lagoon is tested regularly and the quality is great. He also offered his opinion that removing the lock would be very, very bad, noting that the option had already been studied. Commissioner Deutsch requested those studies for his own review.

## **6. Regular Business**

- A.** Approval of the Minutes of the Pre-Agenda Meeting from September 1, 2016 – Additions, Corrections or Deletions – none offered. Approved by acclamation.
- B.** Approval of the Minutes of the regular Meeting from June 9, 2016 – Additions, Corrections or Deletions – none offered. Approved by acclamation.
- C.** MSBU Update
  - Mr. Logan provided details to accompany the written report distributed earlier:
  - Ackerman Waterways (WW) and Manchester: His group will be moving ahead with a bathymetric survey
  - Alligator Creek: The contractor has begun mobilizing
  - Buena Vista WW: completed the dredge
  - Gulf Cove WW: we are still waiting on the sawfish review & Army Corps permit
  - Harbour Heights: The contractor is about 15% complete
  - Hayward Canal and Southbridge: there will be bathymetric work there

- Manasota Key North Beach Erosion: next week CEC begins field work, including the hard bottom surveys and an offshore borrow area search
- Pirate Harbor: after the seagrass study and channel survey, the County had a plan for resubmittal; Coastal Engineering needs to do a bit more field work to answer the resulting questions from DEP.
- SGC: potentially pursuing other options to the parallel lock
- Stump Pass: Commissioner Deutsch has covered.

Capt. Blago expressed discouragement at the bidding process and asked about the difference between the budgeted amount and the bid results, and how there came to be such a difference. Mr. Logan explained that the borrow sand would have to come from an unanticipated spot rather than from Stump Pass; mobilization costs connected with this change were part of the increase, including setting up three miles of pipe for the project. Commissioner Deutsch agreed that close to 80% of cost is moving sand.

Capt. Blago commented that considerable dredging is being done in counties south of us and asked whether those same firms bid on our project; Mr. Logan said they did not. Capt. Blago also asked if our timing changes led to the price increase; Mr. Logan responded that that the greater issue is that there's a lot of work out there now, these guys are busy elsewhere. Further discussion ensued. Commissioner Deutsch commented regarding the tedious nature of government processes, and the call to "Run government like a business" which he pointed out can't be done because government has to have checks and balances which prove to the public that no "inside deals" are being funded by public monies, and he gave examples of his point. Returning to the issue of dredging, he noted that there is a small universe of people who have this equipment, there's a lot of demand for the equipment, and that affects the cost. Capt. Blago complimented the work which the Commissioner has done in moving the project forwards, and asked for a completion date; Commissioner Deutsch responded with some thoughts concerning a January start and an April completion date.

Mr. Hamilton asked about the bid amount on Alligator Creek; Mr. Logan responded that it was a typo where the total price was put into the unit price column.

**D.** Budget Update – Mr. Darden offered brief comments regarding the Financial Report handout provided at today's meeting (**copy attached**.) He spoke to the issue of some expenditure extensions, including Stump Pass dredging. He mentioned that WCIND is offering to take over abandoned vessels removal costs for our waterways, so MAC might not need to budget for that in the future; he indicated that Roger DeBruler is here to speak to the issue, if wished. WCIND's offer is not yet fully on-line but we need to extend the unspent abandoned vessel award into the next FY so programs can continue while WCIND gets their program rolling; the beach renourishment award would also be extended. Awards made this year have been approved by the BCC, and will be officially approved by WCIND at their meeting tomorrow. This is also the year when MAC will be holding award recipients to their timeline for use of funds.

## **7. New Business**

**A.** Review MAC Policy re: Boat Funding – Finance Coordinating with Legal. Mr. Darden recapped this issue briefly; clarification had been requested regarding the statute governing local BIF funds. The legal opinion was reviewed and discussed,

including the implication that only governmental agencies could use the funds for other boater-related activities, but Mr. Darden said he has been told that the intention was *NOT* to so limit the use of funds. Therefore, there is no legal language that would provide the rationale to limit MAC funding boat purchases; the more effective tool is the individual member's vote if a request is made which doesn't seem to be worthy. Commissioner Deutsch also commented on the MAC's ability to set their own guidelines regarding these requests, noting the Commission's confidence in their good judgement.

Motions having been requested, Mr. Hamilton moved approval of the extension of abandoned vessels funding, second by Mr. Strube. Mr. Ludvig asked for clarification on the extension being until such time as the WCIND takes over, since he suggested that their ambit is the ICW, and asked how does this affect Charlotte Harbor. Mr. Darden responded that they are talking about expending their area of activity in this regard, noting that it will be discussed a lot more at meeting on the 20<sup>th</sup>. He also pointed out that if we extend this award, and WCIND doesn't elect to deal with abandoned vessels, then we would still have the money. Further discussion ensued; Chairman Ireland called the question, which passed on a unanimous vote.

The next motion concerned the extension of the Stump Pass dredging award; Capt. Blago moved that the funds be carried forward, second by Mr. Strube. The motion passed on a unanimous vote.

- B. Member Term Expirations.** A brief review was provided of the six member terms that would be expiring on Dec. 31, 2016, and those members were encouraged to submit their paperwork, or the letter of recommendation from their organizations, as soon as possible so the process of approval could get started.

## **8. Old Business**

- A. Boca Grande North Minimum Wake Zones** – Jason Ouimet spoke briefly regarding the June 28<sup>th</sup> Commission Public Hearing.
- B. Gasparilla Slow Speed Zone:** Jason Ouimet reported that this item is in legal, and an ordinance is expected within two weeks.

It was noted that Mr. Ouiment was not present, so the matters moved forward.

Mr. Harris spoke regarding the Boca Grande trestle, which was said to be constructed of a special sort of steel; he noted that the County had just spent \$100,000 on it. It was further clarified that Mr. Harris was referring to the steel swing bridge. Mr. Harris asked, if we can't use it anywhere else in the County, why we don't sell it for scrap. Natural Resources staff member Tina Powell commented that the work on the trestle included stabilizing the swing bridge; studies on the subject indicate that the cost of mobilizing a crane to move it would negate any money we'd get. Commissioner Deutsch asked whether we could give it away and have someone else pay that removal cost; Ms. Powell indicated that previous research showed no apparent interest. Commissioner Deutsch indicated he wanted to look at the research again, with the idea of finally getting rid of it. Mr. Harris had a suggestion regarding skidding the structure, using barges, like a project in Alaska he was aware of. Further discussion ensued on this topic, and on details which will need to be researched.

Commissioner Deutsch provided additional comments on various points. Capt. Allen mentioned that there is similar attention needed for the same type of bridge in El

Jobean; further discussion ensued on this bridge as well, with the group agreeing that it should be looked at before it becomes a problem

Mr. Hamilton requested the floor to comment further about boat purchases, how grant applicants should have some skin in the game and ask for matching dollars; he felt there should be a proposal the group can vote on. Chairman Ireland asked Mr. Darden to take this to Assistant County Attorney Von Burch to create a policy we can refer to this year. Mr. Darden responded, the attorney will not fix this, he's already looked at the existing statute language and there's nothing on which to base a limitation to boats. He suggested that there be a working group, outside this forum, for efficiency. Mr. Hamilton said he thought this would be done over the summer but that's apparently not the case; he asked if it could be done at pre-agenda, adding that if you want to be part of that discussion, you'd need to go to pre-agenda. Commissioner Deutsch indicated he would undertake to explain it in detail to the Commission.

Chairman Ireland confirmed to Capt. Blago that the matter would be discussed at the Oct. 6<sup>th</sup> pre-agenda. Mr. Darden offered some items for consideration between now and then. First, noting that the local BIF has no match restrictions, but WCIND does; he suggested members think about putting that same restriction on the BIF to put everything on the same playing field. Chairman Ireland asked for Mr. Darden's thoughts on whether this can be done early enough for it to be in effect for the next round of applications; Commissioner Deutsch commented on that, noting that e.g., Fire/EMS or any department that is part of the County budget, they do their budget stuff before the grant applications are available. MAC's proposal will impact what happens in the following budget year. Chairman Ireland reminded the group that this change will affect more than just government agencies. Further discussion ensued on this topic. Discussion was also held on the timing of grant applications go out, and options to publicize the process.

## **9. Other Business**

Natural Resources staff member Roger DeBruler provided an update on artificial reef construction, noting that the County had backed out of the Mercaibo bid process where there was no good bid due to current work demands; bids were seeking 50 times the normal rate (e.g., 25/ton vs. 400/ton) The money has been rolled over. He also noted that the abandoned vessel program has removed 7 boats over the summer, and reported that a private citizen was interested in obtaining the boat in Pirate Harbor, and that is being worked on.

Capt. Blago mentioned having seen a TV special on the "paradise reef" in Collier County, where they were offering "naming rights" to their artificial reefs, bringing in some \$400,000. Mr. Harris suggested we could go further, and offer the option to have their ashes put in the reef.

## **10. Citizen Comments**

None offered.

## **11. Good of the Order**

A. This item was posted on the main page of the Charlotte County Government website on May 16<sup>th</sup>:

<https://www.charlottecountyfl.gov/news/Pages/Capt-Ralph-Allen-Inducted-Into-Tourism-Hall-of-Fame.aspx>.

Tina Powell of Natural Resources played the video for the meeting, as well as a video regarding the WCIND working relationship with Charlotte County.

### **Next Meetings**

- The next Pre-Agenda Meeting will be held Thursday, October 6, 2016 at 9:30 a.m. in the Room B-106.
- The next Regular Meeting will be held Thursday, October 13, 2016 at 9:30 a.m. in Room 119.

### **12. Adjournment**

On motion made and unanimously accepted, the meeting was adjourned at 11:15 a.m.